

## Message Text

LIMITED OFFICIAL USE

PAGE 01 USUN N 00490 142313Z

53

ACTION IO-10

INFO OCT-01 ISO-00 AF-06 ARA-06 EA-06 EUR-12 NEA-09

ACDA-05 CIAE-00 DODE-00 PM-03 INR-07 L-02 NSAE-00

NASA-01 NSC-05 OES-03 PA-01 PRS-01 USIA-06 OIC-02

/086 W

----- 043387

R 142100Z FEB 75

FM USMISSION USUN NY

TO SECSTATE WASHDC 9158

LIMITED OFFICIAL USE USUN 0490

E.O. 11652: GDS

TAGS: TSPA, UR, UN

SUBJ: OUTER SPACE LEGAL SUBCOMMITTEE: TREATY ON MOON

AND OTHER CELESTIAL BODIES

1. OUTER SPACE LEGAL SUBCOMMITTEE (LSC) FINALLY CAME TO GRIPS WITH PRINCIPAL ISSUE OF NATURAL RESOURCES IN MOON TREATY DURING FEB. 13 MEETINGS. DEVELOPMENTS WERE SOMEWHAT FORESHADOWED BY GENERAL STATEMENTS IN LSC PLENARY BY INDIA AND SWEDEN. INDIAN DEL STATED ON FEB. 12 THAT TECHNOLOGICAL SUPERIORITY OF CERTAIN COUNTRIES SHOULD NOT REPEAT NOT ENABLE THEM TO TAKE GREATER ADVANTAGE OF MOON'S RESOURCES, BUT THAT SCIENTIFIC RESEARCH AND DEVELOPMENT WORK SHOULD NOT BE RESTRAINED. INDIA COULD NOT ACCEPT A TREATY WHICH CONTAINED ONLY PARTIAL RESTRICTION ON DEVELOPMENT OF RESOURCES. SWEDISH DEL STATED FEB. 13 THAT MOON TREATY SHOULD TAKE INTO ACCOUNT INTERESTS OF THE WORLD COMMUNITY BALANCED WITH SPECIFIC STATEMENT OF RIGHTS OF SPACE POWERS REGARDING THEIR ACTIVITIES ON THE MOON.

2. IN MOON TREATY WORKING GROUP (WG I) MEETING FEB. 13, AUSTRALIAN DEL CRITICIZED "ANONYMOUS" WORKING PAPER WITH LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 USUN N 00490 142313Z

TEXT OF ART. X ON NATURAL RESOURCES (ALMOST IDENTICAL TO

SOVIET TEXT GIVEN US IN NOVEMBER) FOR BEING VAGUE ON WHETHER RESTRICTIONS ON OWNERSHIP APPLIED TO RESOURCES AS WELL AS GEOGRAPHIC AREAS. AUSTRALIAN DEL STATED RESOURCES, WHETHER LEFT ON MOON OR REMOVED, SHOULD NOT BELONG TO ANY STATE EXCEPT FOR EXPLORATION AND SCIENTIFIC PURPOSES AS PROVIDED FOR IN ART. V. AUSTRIAN DEL URGED THAT WG TRY TO STRIKE A BALANCE BETWEEN THE DEVELOPING NATIONS WHICH WANT THE MOON'S RESOURCES TO BE SHARED AS THE COMMON HERITAGE OF MANKIND, AND THE REALIZATION THAT ONLY A FEW COUNTRIES WILL BE ABLE TO CARRY OUT ANY DEVELOPMENT FOR A NUMBER OF DECADES. HE SUGGESTED MORE INFORMAL DISCUSSIONS IN SMALLER GROUP.

3. INDIAN DEL THEN PICKED UP AUSTRALIAN ANALYSIS AND STATED WORKING PAPER OMITTS IMPORTANT PROVISION THAT NATURAL RESOURCES SHALL NOT BECOME THE PROPERTY OF INDIVIDUAL STATES OR ORGANIZATIONS. HE SAID THAT INDIA HAD BEEN TROUBLED BY 1973 US DRAFT WHICH REFERRED ONLY TO "RESOURCES IN PLACE." HE CLAIMED THERE IS MUCH SIMILARITY IN APPLICATION OF THE COMMON HERITAGE PRINCIPLE TO LAW OF THE SEA AND TO MOON TREATY. HE ALSO REFERRED TO CERDS AS SANCTIONING THIS PRINCIPLE. IN CONCLUSION INDIAN DEL REAFFIRMED THAT NOTHING SHOULD RESTRAIN TECHNOLOGICAL PROGRESS AND RECOGNIZED THE RIGHTS OF COUNTRIES TO DEVELOP COMMERCIAL AND ECONOMIC POSSIBILITIES FOR EXPLOITATION OF RESOURCES. HE CONCEDED THAT 1973 DRAFT TEXT OF ART. V ON SCIENTIFIC INVESTIGATION MAY NOT FULLY ACCOMMODATE THESE RIGHTS.

4. WG I ADJOURNED THURSDAY AFTERNOON SO THAT SMALLER GROUP OF INTERESTED COUNTRIES COULD INFORMALLY DISCUSS ANONYMOUS WORKING PAPER PARAGRAPH BY PARAGRAPH. AT THIS MEETING FRENCH DEL CIRCULATED TEXT IN FRENCH OF AMENDMENTS TO SEVERAL PARAGRAPHS. KEY FRENCH AMENDMENT PROVIDED THAT A FUTURE INTERNATIONAL REGIME GOVERNING EXPLOITATION OF MOON'S RESOURCES "... SHALL HAVE AS ITS PRINCIPAL OBJECTIVES TO ASSURE AN EQUITABLE SHARING OF THE BENEFITS RESULTING FROM THE EXPLOITATION OF RESOURCES BETWEEN ALL STATES PARTIES ...," AND THAT THIS SHARING WILL TAKE PARTICULARLY INTO ACCOUNT "... THE INTERESTS AND NEEDS OF THE DEVELOPING COUNTRIES AND LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 USUN N 00490 142313Z

THE EFFORTS OF THOSE WHICH WILL HAVE CONTRIBUTED TO THE DISCOVERY AND EXPLORATION AND OF THOSE WHICH WILL HAVE THE RESPONSIBILITY FOR EXPLOITATION."

5. DURING INFORMAL DISCUSSION OF SMALL GROUP, US DEL SUGGESTED SEVERAL MODIFICATIONS PURSUANT TO TEXT IN STATE 262374 AND STATED WOULD SUBMIT FULL TEXT OF PROPOSED REVISION ON FRIDAY. SINCE ENGLISH

TRANSLATION OF FRENCH AMENDMENT WOULD NOT BE AVAILABLE  
UNTIL FRIDAY MORNING, GROUP AGREED TO RECONVENE AFTER  
MORNING PLENARY MEETING TO CONSIDER FURTHER THESE  
PROPOSED AMENDMENTS.

6. COMMENT: MOST COUNTRIES GENERALLY RECOGNIZE THAT  
EXPLOITATION OF RESOURCES OF MOON AND OTHER CELESTIAL  
BODIES IS PROBABLY A LONG WAY OFF, AND THEN ONLY FOR  
THE MAJOR SPACE POWERS. ON THIS BASIS, SOME COUNTRIES,  
LED NOTABLY BY INDIA, FEEL THEY HAVE NOTHING TO LOSE  
BY INSISTING THAT THOSE RESOURCES ARE THE COMMON  
PROPERTY OF ALL STATES, WHICH SHOULD THEREFORE SHARE  
EQUITABLY IN THE BENEFITS OF THE EXPLOITATION. SOV DEL  
GAVE SOME INDICATION IT MIGHT BE ABLE TO ACCEPT FRENCH  
AMENDMENTS.

7. DRAFTING GROUP WILL MEET AGAIN FRIDAY TO ATTEMPT  
FURTHER RECONCILIATION OF TEXTS.  
BENNETT

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NATURAL RESOURCES, COMMITTEE MEETINGS, NATURAL SATELLITES, SPACE AGREEMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 14 FEB 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975USUNN00490  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750056-0139  
**From:** USUN NEW YORK  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750239/aaaabjfo.tel  
**Line Count:** 134  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION IO  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 25 JUN 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <25 JUN 2003 by MartinML>; APPROVED <26 JUN 2003 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** OUTER SPACE LEGAL SUBCOMMITTEE: TREATY ON MOON AND OTHER CELESTIAL BODIES  
**TAGS:** TSPA, UN  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006